



Journal of the Senate

State of Indiana

115th General Assembly

First Regular Session

Twenty-sixth Meeting Day

Monday Afternoon

March 12, 2007

The Senate convened at 1:34 p.m., with the President of the Senate, Rebecca S. Skillman, in the Chair.

Prayer was offered by Senator Dennis K. Kruse.

The Pledge of Allegiance to the Flag was led by the President of the Senate.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Long <input type="checkbox"/>
Becker	Lubbers
Boots	Meeks
Bowser	Merritt
Bray	Miller
Breaux	Mishler
Broden	Mrvan
Deig	Nugent
Delph	Paul
Dillon	Riegsecker <input type="checkbox"/>
Drozda	Rogers
Errington	Simpson
Ford	Sipes
Gard	Skinner
Heinold	Smith
Hershman	Steele
Howard	Tallian
Hume	Walker
Jackman	Waltz
Kenley	Waterman
Kruse	Weatherwax
Lanane	Wyss <input type="checkbox"/>
Landske	Young, M.
Lawson	Young, R.
Lewis	Zakas

Roll Call 257: present 46; excused 3. [Note: A ☐ indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: I hereby report that due to the death of Senator Anita Bowser on March 4, 2007, a vacancy was created in Senate District 8. Pursuant to my direction, Senator Bowser's name will remain on the Roll of Senators until such time as the process to name her successor is complete and the new Senator has taken the oath of office.

LONG

Report adopted.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1059, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 17.

Page 2, line 34, delete "course.(4)" and insert "**course.**
(4)".

Renumber all SECTIONS consecutively.

(Reference is to HB 1059 as reprinted January 24, 2007.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 1.

LUBBERS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government and Elections, to which was referred Engrossed House Bill 1211, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 6-1.1-24-2, AS AMENDED BY P.L.169-2006, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. (a) In addition to the delinquency list required under section 1 of this chapter, each county auditor shall prepare a notice. The notice shall contain the following:

(1) A list of tracts or real property eligible for sale under this chapter.

(2) A statement that the tracts or real property included in the list will be sold at public auction to the highest bidder, subject to the right of redemption.

(3) A statement that the tracts or real property will not be sold for an amount which is less than the sum of:

(A) the delinquent taxes and special assessments on each tract or item of real property;

(B) the taxes and special assessments on each tract or item of real property that are due and payable in the year of the sale, whether or not they are delinquent;

(C) all penalties due on the delinquencies;

(D) an amount prescribed by the county auditor that equals the sum of:

(i) the greater of twenty-five dollars (\$25) or postage and publication costs; and

- (ii) any other actual costs incurred by the county that are directly attributable to the tax sale; and
- (E) any unpaid costs due under subsection (b) from a prior tax sale.
- (4) A statement that a person redeeming each tract or item of real property after the sale must pay:
 - (A) one hundred ten percent (110%) of the amount of the minimum bid for which the tract or item of real property was offered at the time of sale if the tract or item of real property is redeemed not more than six (6) months after the date of sale;
 - (B) one hundred fifteen percent (115%) of the amount of the minimum bid for which the tract or item of real property was offered at the time of sale if the tract or item of real property is redeemed more than six (6) months after the date of sale;
 - (C) the amount by which the purchase price exceeds the minimum bid on the tract or item of real property plus ten percent (10%) per annum on the amount by which the purchase price exceeds the minimum bid; and
 - (D) all taxes and special assessments on the tract or item of real property paid by the purchaser after the tax sale plus interest at the rate of ten percent (10%) per annum on the amount of taxes and special assessments paid by the purchaser on the redeemed property.
- (5) A statement for informational purposes only, of the location of each tract or item of real property by key number, if any, and street address, if any, or a common description of the property other than a legal description. The township assessor, upon written request from the county auditor, shall provide the information to be in the notice required by this subsection. A misstatement in the key number or street address does not invalidate an otherwise valid sale.
- (6) A statement that the county does not warrant the accuracy of the street address or common description of the property.
- (7) A statement indicating:
 - (A) the name of the owner of each tract or item of real property with a single owner; or
 - (B) the name of at least one (1) of the owners of each tract or item of real property with multiple owners.
- (8) A statement of the procedure to be followed for obtaining or objecting to a judgment and order of sale, that must include the following:
 - (A) A statement:
 - (i) that the county auditor and county treasurer will apply on or after a date designated in the notice for a court judgment against the tracts or real property for an amount that is not less than the amount set under subdivision (3), and for an order to sell the tracts or real property at public auction to the highest bidder, subject to the right of redemption; and
 - (ii) indicating the date when the period of redemption specified in IC 6-1.1-25-4 will expire.
 - (B) A statement that any defense to the application for judgment must be:
 - (i) filed with the court; and
 - (ii) served on the county auditor and the county treasurer;

before the date designated as the earliest date on which the application for judgment may be filed.

(C) A statement that the county auditor and the county treasurer are entitled to receive all pleadings, motions, petitions, and other filings related to the defense to the application for judgment.

~~(C)~~ **(D)** A statement that the court will set a date for a hearing at least seven (7) days before the advertised date and that the court will determine any defenses to the application for judgment at the hearing.

(9) A statement that the sale will be conducted at a place designated in the notice and that the sale will continue until all tracts and real property have been offered for sale.

(10) A statement that the sale will take place at the times and dates designated in the notice. ~~The sale must take place on or after August + and before November + of each year.~~
Whenever the public auction is to be conducted as an electronic sale, the notice must include a statement indicating that the public auction will be conducted as an electronic sale and a description of the procedures that must be followed to participate in the electronic sale.

(11) A statement that a person redeeming each tract or item after the sale must pay the costs described in IC 6-1.1-25-2(e).

(12) If a county auditor and county treasurer have entered into an agreement under IC 6-1.1-25-4.7, a statement that the county auditor will perform the duties of the notification and title search under IC 6-1.1-25-4.5 and the notification and petition to the court for the tax deed under IC 6-1.1-25-4.6.

(13) A statement that, if the tract or item of real property is sold for an amount more than the minimum bid and the property is not redeemed, the owner of record of the tract or item of real property who is divested of ownership at the time the tax deed is issued may have a right to the tax sale surplus.

(14) If a determination has been made under subsection (d), a statement that tracts or items will be sold together.

(b) If within sixty (60) days before the date of the tax sale the county incurs costs set under subsection (a)(3)(D) and those costs are not paid, the county auditor shall enter the amount of costs that remain unpaid upon the tax duplicate of the property for which the costs were set. The county treasurer shall mail notice of unpaid costs entered upon a tax duplicate under this subsection to the owner of the property identified in the tax duplicate.

(c) The amount of unpaid costs entered upon a tax duplicate under subsection (b) must be paid no later than the date upon which the next installment of real estate taxes for the property is due. Unpaid costs entered upon a tax duplicate under subsection (b) are a lien against the property described in the tax duplicate, and amounts remaining unpaid on the date the next installment of real estate taxes is due may be collected in the same manner that delinquent property taxes are collected.

(d) The county auditor and county treasurer may establish the condition that a tract or item will be sold and may be redeemed under this chapter only if the tract or item is sold or redeemed together with one (1) or more other tracts or items. Property may be sold together only if the tract or item is owned by the same person.

SECTION 2. IC 6-1.1-24-4, AS AMENDED BY P.L.169-2006, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. (a) Not less than twenty-one

(21) days before the earliest date on which the application for judgment and order for sale of real property eligible for sale may be made, the county auditor shall send a notice of the sale by certified mail, **return receipt requested**, to:

(1) the owner of record of real property with a single owner; or

(2) ~~to~~ at least one (1) of the owners, **as of the date of certification**, of real property with multiple owners;

at the last address of the owner for the property as indicated in the records of the county auditor **on the date that the tax sale list is certified. In addition, the county auditor shall mail a duplicate notice to the owner of record, as described in subdivisions (1) and (2), by first class mail to the owners from whom the certified mail return receipt was not signed and returned. Additionally, the county auditor may determine that mailing a first class notice to or serving a notice on the property is a reasonable step to notify the owner, if the address of the owner is not the same address as the physical location of the property. If both notices are returned due to incorrect or insufficient addresses, the county auditor shall research the county auditor records to determine a more complete or accurate address. If a more complete or accurate address is found, the county auditor shall resend the notices to the address that is found in accordance with this section. Failure to obtain a more complete or accurate address does not invalidate an otherwise valid sale.**

The county auditor shall prepare the notice in the form prescribed by the state board of accounts. The notice must set forth the key number, if any, of the real property and a street address, if any, or other common description of the property other than a legal description. The notice must include the statement set forth in section 2(a)(4) of this chapter. The county auditor must present proof of this mailing to the court along with the application for judgment and order for sale. Failure by an owner to receive or accept the notice required by this section does not affect the validity of the judgment and order. The owner of real property shall notify the county auditor of the owner's correct address. The notice required under this section is considered sufficient if the notice is mailed to the address **or addresses** required by this section.

(b) In addition to the notice required under subsection (a) for real property on the list prepared under section 1(a)(2) or 1.5(d) of this chapter, the county auditor shall prepare and mail the notice required under section 2.2 of this chapter no later than August 15 in the year in which the property is to be sold under this chapter.

(c) On or before the day of sale, the county auditor shall list, on the tax sale record required by IC 6-1.1-25-8, all properties that will be offered for sale.

SECTION 3. IC 6-1.1-24-4.6, AS AMENDED BY P.L.169-2006, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4.6. (a) On the day on which the application for judgment and order for sale is made, the county treasurer shall report to the county auditor all of the tracts and real property listed in the notice required by section 2 of this chapter upon which all delinquent taxes and special assessments, all penalties due on the delinquencies, any unpaid costs due from a prior tax sale, and the amount due under section 2(a)(3)(D) of this chapter have been paid up to that time. The county auditor, assisted by the county treasurer, shall compare and correct the list, removing tracts and real property for which all

delinquencies have been paid, and shall make and subscribe an affidavit in substantially the following form:

State of Indiana)
) ss

County of _____)

I, _____, treasurer of the county of _____,
and I, _____, auditor of the county of _____,
do solemnly affirm that the foregoing is a true and correct list of the real property within the county of _____ upon which have remained delinquent uncollected taxes, special assessments, penalties and costs, as required by law for the time periods set forth, to the best of my knowledge and belief.

County Treasurer

County Auditor

Dated _____

I, _____, auditor of the county of _____, do solemnly affirm that notice of the application for judgment and order for sale was mailed via certified mail to the owners on the foregoing list, and publication made, as required by law.

County Auditor

Dated _____

(b) Application for judgment and order for sale shall be made as one (1) cause of action to any court of competent jurisdiction jointly by the county treasurer and county auditor. The application shall include the names of at least one (1) of the owners of each tract or item of real property, the dates of mailing of the notice required by sections 2 and 2.2 of this chapter, the dates of publication required by section 3 of this chapter, and the affidavit and corrected list as provided in subsection (a).

(c) Any defense to the application for judgment and order of sale shall be filed with the court on or before the earliest date on which the application may be made as set forth in the notice required under section 2 of this chapter. **The county auditor and the county treasurer for the county where the real property is located are entitled to receive all pleadings, motions, petitions, and other filings related to a defense to the application for judgment and order of sale.**

SECTION 4. IC 6-1.1-24-5, AS AMENDED BY P.L.169-2006, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. (a) When a tract or an item of real property is subject to sale under this chapter, it must be sold in compliance with this section.

(b) The sale must:

(1) be held at the times and place stated in the notice of sale; and

(2) not extend beyond one hundred seventy-one (171) days after the list containing the tract or item of real property is certified to the county auditor.

(c) A tract or an item of real property may not be sold under this chapter to collect:

(1) delinquent personal property taxes; or

(2) taxes or special assessments which are chargeable to other real property.

(d) A tract or an item of real property may not be sold under this chapter if all the delinquent taxes, penalties, and special assessments on the tract or an item of real property and the amount prescribed by section 2(a)(3)(D) of this chapter, reflecting the costs incurred by the county due to the sale, are paid before the time of sale.

(e) The county treasurer shall sell the tract or real property, subject to the right of redemption, to the highest bidder at public auction. However, a tract or an item of real property may not be sold for an amount which is less than the sum of:

- (1) the delinquent taxes and special assessments on each tract or item of real property;
- (2) the taxes and special assessments on each tract or item of real property that are due and payable in the year of the sale, regardless of whether the taxes and special assessments are delinquent;
- (3) all penalties which are due on the delinquencies;
- (4) the amount prescribed by section 2(a)(3)(D) of this chapter reflecting the costs incurred by the county due to the sale;
- (5) any unpaid costs which are due under section 2(b) of this chapter from a prior tax sale; and
- (6) other reasonable expenses of collection, including title search expenses, uniform commercial code expenses, and reasonable attorney's fees incurred by the date of the sale.

(f) For purposes of the sale, it is not necessary for the county treasurer to first attempt to collect the real property taxes or special assessments out of the personal property of the owner of the tract or real property.

(g) The county auditor shall serve as the clerk of the sale.

(h) Real property certified to the county auditor under section ~~1(2)~~ **1(a)(2)** of this chapter must be offered for sale in a different phase of the tax sale or on a different day of the tax sale than the phase or day during which other real property is offered for sale.

(i) The public auction required under subsection (e) may be conducted by electronic means, at the option of the county treasurer. The electronic sale must comply with the other statutory requirements of this section. If an electronic sale is conducted under this subsection, the county treasurer shall provide access to the electronic sale by providing computer terminals open to the public at a designated location. A county treasurer who elects to conduct an electronic sale may receive electronic payments and establish rules necessary to secure the payments in a timely fashion. The county treasurer may not add an additional cost of sale charge to a parcel for the purpose of conducting the electronic sale.

SECTION 5. IC 6-1.1-24-6.1, AS AMENDED BY P.L.169-2006, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 6.1. (a) The county executive may **do the following:**

(1) By resolution, identify properties:

- (A) that are described in section 6.7(a) of this chapter; and
- (B) concerning which the county executive desires to offer to the public the certificates of sale acquired by the county executive under section 6 of this chapter.

(2) **In conformity with IC 5-3-1-4**, publish:

- (A) notice ~~in accordance with IC 5-3-1~~ of the date, time, and place for a public sale; ~~of the certificates of sale that is not earlier than ninety (90) days after the last date the notice is published; and~~

(B) a listing of parcels on which certificates will be offered by parcel number and minimum bid amount; once each week for three (3) consecutive weeks, with the final advertisement being not less than thirty (30) days before the sale date. The expenses of the publication shall be paid out of the county general fund.

(3) Sell each certificate of sale covered by the resolution for a price that:

- (A) is less than the minimum sale price prescribed by section 5(e) of this chapter; and
- (B) includes any costs to the county executive directly attributable to the sale of the certificate of sale.

(b) Notice of the list of properties prepared under subsection (a) and the date, time, and place for the public sale of the certificates of sale shall be published in accordance with IC 5-3-1. The notice must:

- (1) include a description of the property by parcel number and common address;
- (2) specify that the county executive will accept bids for the certificates of sale for the price referred to in subsection (a)(3);
- (3) specify the minimum bid for each parcel;
- (4) include a statement that a person redeeming each tract or item of real property after the sale of the certificate must pay:
 - (A) the amount of the minimum bid under section 5(e) of this chapter for which the tract or item of real property was last offered for sale;
 - (B) ten percent (10%) of the amount for which the certificate is sold;
 - (C) the attorney's fees and costs of giving notice under IC 6-1.1-25-4.5;
 - (D) the costs of a title search or of examining and updating the abstract of title for the tract or item of real property; and
 - (E) all taxes and special assessments on the tract or item of real property paid by the purchaser after the sale of the certificate plus interest at the rate of ten percent (10%) per annum on the amount of taxes and special assessments paid by the purchaser on the redeemed property; and
- (5) include a statement that, if the certificate is sold for an amount more than the minimum bid under section 5(e) of this chapter for which the tract or item of real property was last offered for sale and the property is not redeemed, the owner of record of the tract or item of real property who is divested of ownership at the time the tax deed is issued may have a right to the tax sale surplus.

SECTION 6. IC 6-1.1-24-6.3, AS AMENDED BY P.L.169-2006, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 6.3. (a) The sale of certificates of sale under this chapter must be held at the time and place stated in the notice of sale.

(b) A certificate of sale may not be sold under this chapter if the following are paid before the time of sale:

- (1) All the delinquent taxes, penalties, and special assessments on the tract or an item of real property.
- (2) The amount prescribed by section 2(a)(3)(D) of this chapter, reflecting the costs incurred by the county due to the sale.

(c) The county executive shall sell the certificate of sale, subject to the right of redemption, to the highest bidder at public auction. **The public auction may be conducted as an electronic sale in conformity with section 5(i) of this chapter.**

(d) The county auditor shall serve as the clerk of the sale.

SECTION 7. IC 6-1.1-24-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 8. When one who purchases real property at a tax sale fails to pay the bid, the real property shall again be offered for sale. A purchaser who fails to pay the bid shall pay a **civil** penalty of twenty-five percent (25%) of the amount of the bid. The county prosecuting attorney shall initiate an action in the name of the state treasurer to recover the **civil** penalty. Amounts collected under this section shall be deposited in the ~~common school county general fund of this state.~~

SECTION 8. IC 6-1.1-25-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. (a) The total amount of money required for the redemption of real property equals:

(1) the sum of the amounts prescribed in subsections (b) through (e); or

(2) the amount prescribed in subsection (f);

reduced by any amounts held in the name of the taxpayer or the purchaser in the tax sale surplus fund.

(b) Except as provided in subsection (f), the total amount required for redemption includes:

(1) one hundred ten percent (110%) of the minimum bid for which the tract or real property was offered at the time of sale, as required by IC 6-1.1-24-5, if the tract or item of real property is redeemed not more than six (6) months after the date of sale; or

(2) one hundred fifteen percent (115%) of the minimum bid for which the tract or real property was offered at the time of sale, as required by IC 6-1.1-24-5, if the tract or item of real property is redeemed more than six (6) months but not more than one (1) year after the date of sale.

(c) Except as provided in subsection (f), in addition to the amount required under subsection (b), the total amount required for redemption includes the amount by which the purchase price exceeds the minimum bid on the real property plus ten percent (10%) per annum on the amount by which the purchase price exceeds the minimum bid on the property.

(d) Except as provided in subsection (f), in addition to the amount required under subsections (b) and (c), the total amount required for redemption includes all taxes and special assessments upon the property paid by the purchaser after the sale plus ten percent (10%) interest per annum on those taxes and special assessments.

(e) Except as provided in subsection (f), in addition to the amounts required under subsections (b), (c), and (d), the total amount required for redemption includes the following costs, if certified before redemption **and not earlier than thirty (30) days after the date of sale of the property being redeemed** by the payor to the county auditor on a form prescribed by the state board of accounts, that were incurred and paid by the purchaser, the purchaser's assignee, or the county, before redemption:

(1) The attorney's fees and costs of giving notice under section 4.5 of this chapter.

(2) The costs of a title search or of examining and updating the abstract of title for the tract or item of real property.

(f) With respect to a tract or item of real property redeemed under section 4(c) of this chapter, instead of the amounts stated in subsections (b) through (e), the total amount required for redemption is the amount determined under IC 6-1.1-24-6.1(b)(4)."

Page 3, line 5, after "excess." insert **"The petitioner is prohibited from participating in any manner in the next succeeding tax sale in the county under IC 6-1.1-24."**

Page 4, delete lines 18 through 20, begin a new paragraph and insert:

"SECTION 10. [EFFECTIVE UPON PASSAGE] (a) If:

(1) a tract or an item of real property is offered for sale under IC 6-1.1-24-1 through IC 6-1.1-24-5 (all as effective December 31, 2006) before January 1, 2007; and

(2) an amount is not received that is at least equal to the minimum sale price required under IC 6-1.1-24-5(e) (as effective December 31, 2006);

the tract or item of real property may be offered for sale a second time consistent with IC 6-1.1-24-1 through IC 6-1.1-24-5 (all as effective December 31, 2006) or subsection (b).

(b) Notwithstanding any other law, if:

(1) a tract or an item of real property is offered for sale under IC 6-1.1-24-1 through IC 6-1.1-24-5 (all as effective December 31, 2006);

(2) an amount is not received that is at least equal to the minimum sale price required under IC 6-1.1-24-5(e) (as effective December 31, 2006); and

(3) the county treasurer and the county auditor jointly agree to an expedited tax sale under this subsection;

the tract or item of real property may be offered for sale a second time on a date that is on or after January 1 and before August 1 of the year immediately following the year in which the property was initially offered for sale and at least ninety (90) days after the date of the initial sale.

(c) All notice and judgment requirements set forth in IC 6-1.1-24 and IC 6-1.1-25, both as amended by this act, are applicable to the second expedited tax sale under subsection (b).

(d) A person subject to IC 6-1.1-24-5.3 may purchase property offered for sale under this SECTION.

(e) The period for redemption of real property sold under IC 6-1.1-24 is one hundred twenty (120) days after the date of sale under subsection (b).

(f) In implementing this SECTION, if a provision in IC 6-1.1 that affects an action under this SECTION that is in effect after December 31, 2006, as amended by HEA 1102-2006, conflicts with a provision of IC 6-1.1 that was in effect on December 31, 2006, this SECTION shall be implemented as if IC 6-1.1 (as effective December 31, 2006) were in effect.

(g) An action conducted after December 31, 2006, and before July 1, 2007, that would have been valid under this SECTION if conducted after June 30, 2007, shall be treated as if it had been conducted after June 30, 2007.

SECTION 11. [EFFECTIVE UPON PASSAGE] (a) This SECTION applies to a county having a consolidated city.

(b) Whenever real property on the list prepared under IC 6-1.1-24-1.5 (as effective December 31, 2006) before January 1, 2007:

(1) is offered for sale under IC 6-1.1-24; and
 (2) does not receive a bid for at least the amount required under IC 6-1.1-24-5 (as effective December 31, 2006);
 the county auditor shall notify the metropolitan development commission that the real property has been offered for sale under IC 6-1.1-24, as amended by this act, and that an adequate bid has not been received.

(c) The metropolitan development commission shall, within a reasonable time after receiving notice under subsection (b), identify any property described under subsection (b) that the metropolitan development commission desires to acquire for urban homesteading under IC 36-7-17 or redevelopment purposes under IC 36-7-15.1. The metropolitan development commission shall then provide the county auditor with a list of the properties identified under this subsection.

(d) The county auditor shall execute and deliver a deed for any property identified under subsection (c) to the metropolitan development commission, subject to IC 6-1.1-25, as amended by this act. Properties identified under subsection (c) but not acquired by the metropolitan development commission shall be restored to the delinquent list prepared under IC 6-1.1-24-1 (as effective December 31, 2006).

(e) The county acquires a lien under IC 6-1.1-24-6 (as effective December 31, 2006) for any property that is:

- (1) not identified under subsection (c); and
- (2) offered for sale under IC 6-1.1-24, as amended by this act, for two (2) consecutive sales.

(f) The metropolitan development commission may not pay for any property acquired under subsection (d). However, a taxing unit having an interest in the taxes on the real property shall be credited with the full amount of the delinquent tax due to that unit.

(g) The agency designated or established in IC 36-7-17-2 may acquire real property in the name of the unit, for use as provided in IC 6-1.1-24 and this SECTION. Under this SECTION, the agency may acquire the deed for real property that was offered for sale but for which an adequate bid under IC 6-1.1-24-5(e) (as effective December 31, 2006) was not received by identifying the properties that the agency desires to acquire for urban homesteading or redevelopment purposes.

(h) For purposes of a sale under IC 6-1.1-24 conducted to implement IC 36-7-17-12, the proceeds of the sale shall be applied to the cost of the sale, including advertising and appraisal. If any proceeds remain after payment of the costs of the sale, the proceeds shall be applied to the payment of taxes removed from the tax duplicate under IC 6-1.1-24-6.7(e).

(i) In implementing this SECTION, if a provision in IC 6-1.1 that affects an action under this SECTION that is in effect after December 31, 2006, as amended by HEA 1102-2006, conflicts with a provision of IC 6-1.1 that was in effect on December 31, 2006, this SECTION shall be implemented as if IC 6-1.1 (as effective December 31, 2006) were in effect.

(j) An action conducted after December 31, 2006, and before July 1, 2007, that would have been valid under this SECTION if conducted after June 30, 2007, shall be treated as if it had been conducted after June 30, 2007.

SECTION 12. [EFFECTIVE JULY 1, 2007] IC 6-1.1-25-4.6, as amended by this act, applies only to:

- (1) tax sales held after June 30, 2007; and
- (2) failures of tax sale petitioners to fulfill tax sale requirements under that section after June 30, 2007.

SECTION 13. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

(Reference is to HB 1211 as printed February 16, 2007.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

LAWSON, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1287, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 3-7-13-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. (a) A person described in section 4 of this chapter who is otherwise qualified to register under this article is eligible to register when the person is no longer:

- (1) imprisoned; or
- (2) otherwise subject to lawful detention.

(b) Notwithstanding IC 35-47-2, IC 35-47-2.5, or the restoration of the right to vote under this section and except as provided in subsections (c); (d); and (g) IC 35-47-4-7, a person who has been convicted of a crime of domestic violence (as defined in IC 35-41-1-6.3) may not possess a firearm upon the person's release from imprisonment or lawful detention.

(c) Not earlier than five (5) years after the date of conviction; a person who has been convicted of a crime of domestic violence (as defined in IC 35-41-1-6.3) may petition the court for restoration of the person's right to possess a firearm. In determining whether to restore the person's right to possess a firearm, the court shall consider the following factors:

(1) Whether the person has been subject to:

- (A) a protective order;
- (B) a no contact order;
- (C) a workplace violence restraining order; or
- (D) any other court order that prohibits the person from possessing a firearm.

(2) Whether the person has successfully completed a substance abuse program, if applicable.

(3) Whether the person has successfully completed a parenting class, if applicable.

(4) Whether the person still presents a threat to the victim of the crime.

(5) Whether there is any other reason why the person should not possess a firearm, including whether the person failed to complete a specified condition under subsection (d) or whether the person has committed a subsequent offense.

(d) The court may condition the restoration of a person's right to possess a firearm upon the person's completion of specified conditions:

(e) If the court denies a petition for restoration of the right to

possess a firearm, the person may not file a second or subsequent petition until one (1) year has elapsed:

(f) A person has not been convicted of a crime of domestic violence for purposes of subsection (c) if the conviction has been expunged or if the person has been pardoned:

(g) The right to possess a firearm shall be restored to a person whose conviction is reversed on appeal or on post-conviction review at the earlier of the following:

(1) At the time the prosecuting attorney states on the record that the charges that gave rise to the conviction will not be refiled;

(2) Ninety (90) days after the final disposition of the appeal or the post-conviction proceeding."

Page 9, delete lines 22 through 42.

Page 10, delete lines 1 through 29.

Page 14, between lines 29 and 30, begin a new paragraph and insert:

"SECTION 24. IC 33-35-5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. All issues of fact pending in city courts shall be tried by the judge, unless either party demands a jury trial. The jury must consist of six (6) qualified voters residents of the city, to be summoned by the bailiff by venire issued by the judge. City residents shall be selected for jury service according to the procedures set out in IC 33-28-5."

Page 19, line 16, delete "IC 33-28-5-18" and insert "IC 35-47-4-7".

Page 19, between lines 29 and 30, begin a new paragraph and insert:

"SECTION 33. IC 35-47-1-7, AS AMENDED BY P.L.49-2005, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. "Proper person" means a person who:

(1) does not have a conviction for resisting law enforcement under IC 35-44-3-3 within five (5) years before the person applies for a license or permit under this chapter;

(2) does not have a conviction for a crime for which the person could have been sentenced for more than one (1) year;

(3) does not have a conviction for a crime of domestic violence (as defined in IC 35-41-1-6.3), unless a court has restored the person's right to possess a firearm under IC 3-7-13-5; IC 35-47-4-7;

(4) is not prohibited by a court order from possessing a handgun;

(5) does not have a record of being an alcohol or drug abuser as defined in this chapter;

(6) does not have documented evidence which would give rise to a reasonable belief that the person has a propensity for violent or emotionally unstable conduct;

(7) does not make a false statement of material fact on the person's application;

(8) does not have a conviction for any crime involving an inability to safely handle a handgun;

(9) does not have a conviction for violation of the provisions of this article within five (5) years of the person's application; or

(10) does not have an adjudication as a delinquent child for an act that would be a felony if committed by an adult, if the

person applying for a license or permit under this chapter is less than twenty-three (23) years of age."

Page 19, line 38, strike "IC 3-7-13-5 or".

Page 19, line 38, delete "IC 33-28-5-18," and insert "IC 35-47-4-7,".

Page 20, line 7, strike "IC 3-7-13-5".

Page 20, line 8, strike "or".

Page 20, line 8, delete "IC 33-28-5-18" and insert "IC 35-47-4-7".

Page 20, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 36. IC 35-47-4-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. (a) Notwithstanding IC 35-47-2, IC 35-47-2.5, the restoration of the right to serve on a jury under IC 33-28-5-18, or the restoration of the right to vote under IC 3-7-13-5, and except as provided in subsections (b), (c), and (f), a person who has been convicted of a crime of domestic violence may not possess a firearm after the person's release from imprisonment or lawful detention.

(b) Not earlier than five (5) years after the date of conviction, a person who has been convicted of a crime of domestic violence may petition the court for restoration of the person's right to possess a firearm. In determining whether to restore the person's right to possess a firearm, the court shall consider the following factors:

(1) Whether the person has been subject to:

(A) a protective order;

(B) a no contact order;

(C) a workplace violence restraining order; or

(D) any other court order that prohibits the person from possessing a firearm.

(2) Whether the person has successfully completed a substance abuse program, if applicable.

(3) Whether the person has successfully completed a parenting class, if applicable.

(4) Whether the person still presents a threat to the victim of the crime.

(5) Whether there is any other reason why the person should not possess a firearm, including whether the person failed to satisfy a specified condition under subsection (c) or whether the person has committed a subsequent offense.

(c) The court may condition the restoration of a person's right to possess a firearm upon the person's satisfaction of specified conditions.

(d) If the court denies a petition for restoration of the right to possess a firearm, the person may not file a second or subsequent petition until one (1) year has elapsed after the filing of the most recent petition.

(e) A person has not been convicted of a crime of domestic violence for purposes of subsection (a) if the conviction has been expunged or if the person has been pardoned.

(f) The right to possess a firearm shall be restored to a person whose conviction is reversed on appeal or on postconviction review at the earlier of the following:

(1) At the time the prosecuting attorney states on the record that the charges that gave rise to the conviction

will not be refiled.

(2) Ninety (90) days after the final disposition of the appeal or the postconviction proceeding."

Renumber all SECTIONS consecutively.

(Reference is to HB 1287 as reprinted February 20, 2007.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1291, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 33-23-3-5, AS AMENDED BY P.L.246-2005, SECTION 220, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. (a) A senior judge is entitled to the following compensation:

(1) For each of the first thirty (30) days of service in a calendar year, a per diem of ~~fifty one hundred~~ dollars **(\$100)**.

(2) Except as provided in subsection (c), for each day the senior judge serves after serving the first thirty (30) days of service in a calendar year, a per diem of two hundred ~~fifty~~ dollars **(\$250)**.

(3) Reimbursement for:

(A) mileage; and

(B) reasonable expenses, including but not limited to meals and lodging, incurred in performing service as a senior judge;

for each day served as a senior judge.

(b) Subject to subsection (c), the per diem and reimbursement for mileage and reasonable expenses under subsection (a) shall be paid by the state.

(c) The compensation under subsection (a)(2) must be paid by the state from funds appropriated to the supreme court for judicial payroll. If the payroll fund is insufficient to pay the compensation under subsection (a)(2), the supreme court may issue an order adjusting the compensation rate.

(d) A senior judge appointed under this chapter may not be compensated as a senior judge for more than one hundred (100) total calendar days during a calendar year."

Page 4, line 1, after "(i)" insert **"before incurring the other reasonable expenses described in this clause,"**.

Page 4, after line 33, begin a new paragraph and insert:

"SECTION 4. IC 33-39-2-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. **(a) A prosecuting attorney may establish and administer a youth mentoring program.**

(b) To establish or administer a youth mentoring program described in subsection (a), a prosecuting attorney may:

(1) establish and administer an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code;

(2) provide staff and material support to the organization; and

(3) receive and expend charitable contributions, appropriations, and federal, state, local, or private grants.

(c) The prosecuting attorney shall provide an annual report to the county fiscal body concerning the youth mentoring program established under subsection (a). The youth mentoring program is subject to audit by the state board of accounts."

Renumber all SECTIONS consecutively.

(Reference is to HB 1291 as printed February 2, 2007.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Energy and Environmental Affairs, to which was referred Engrossed House Bill 1192, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 13-23-5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. **(a)** Subject to section 2 of this chapter, **and except as provided in subsection (b)**, an underground storage tank, whether of single or double wall construction, may not be installed before the effective date of the rules adopted under IC 13-23-1-2 for the purpose of storing regulated substances unless:

(1) the tank will prevent releases due to corrosion or structural failure for the operational life of the tank;

(2) the tank is:

(A) cathodically protected against corrosion;

(B) constructed of noncorrosive material;

(C) steel clad with a noncorrosive material; or

(D) designed to prevent the release or threatened release of any stored substance; ~~and~~

(3) the material used in the construction or lining of the tank is compatible with the substance to be stored; **and**

(4) after July 1, 2007, all newly installed or replaced piping connected to the tank meets the secondary containment requirements adopted by the board.

(b) An underground storage tank system that contains alcohol blended fuels composed of greater than fifteen percent (15%) alcohol is a petroleum UST system (as defined in 329 IAC 9-1-36 as in effect January 1, 2007) and may be installed during the period referred to in subsection (a) if the system is otherwise in compliance with rules adopted by the board concerning technical and safety requirements relating to the physical characteristics of underground petroleum storage tanks and ancillary equipment, including dispensing equipment, used in the storing or dispensing of alcohol blended fuels for purposes of:

(1) IC 13-23-8-3(1)(A); and

(2) all other provisions of this article.

(c) Owners and operators of underground storage tank

systems that store, carry, or dispense alcohol blended fuels composed of greater than fifteen percent (15%) alcohol and that comply with subsection (b) are considered to meet the standards of:

- (1) compatibility under subsection (a)(3); and
- (2) compliance for purposes of:
 - (A) IC 13-23-8-3; and
 - (B) all other provisions of this article.

SECTION 2. IC 13-23-8-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. For the purposes of section 2 of this chapter, the following amounts shall be used:

- (1) If the underground petroleum storage tank that is involved in the occurrence for which claims are made:

(A) is not in compliance with rules adopted by the board concerning technical and safety requirements relating to the physical characteristics of underground petroleum storage tanks before the date the tank is required to be in compliance with the requirements; and

(B) is in compliance on a date required under the requirements described under section 4 of this chapter at the time a release was discovered;

the amount is thirty-five thousand dollars (\$35,000).

- (2) If the underground petroleum storage tank that is involved in the occurrence for which claims are made:

(A) is in compliance with rules adopted by the board concerning technical and safety requirements relating to the physical characteristics of underground petroleum storage tanks before the date the tank is required to be in compliance with the requirements; ~~and~~

(B) is not a double walled underground petroleum storage tank; ~~with and~~

(C) has piping that ~~has~~ **does not have** secondary containment;

the amount is thirty thousand dollars (\$30,000).

- (3) If the underground petroleum storage tank that is involved in the occurrence for which claims are made:

(A) is in compliance with rules adopted by the board concerning technical and safety requirements relating to the physical characteristics of underground petroleum storage tanks before the date the tank is required to be in compliance with the requirements;

(B) is not a double walled underground petroleum storage tank; and

(C) has piping that has secondary containment;

the amount is twenty-five thousand dollars (\$25,000).

- (4) If the underground petroleum storage tank that is involved in the occurrence for which claims are made:

(A) is in compliance with rules adopted by the board concerning technical and safety requirements relating to the physical characteristics of underground petroleum storage tanks before the date the tank is required to be in compliance with the requirements;

(B) is a double walled underground petroleum storage tank; and

(C) has piping that **does not have** secondary containment;

the amount is twenty-five thousand dollars (\$25,000).

- ~~(3)~~ (5) If the underground petroleum storage tank that was

involved in the occurrence for which claims are made:

(A) is in compliance with rules adopted by the board concerning technical and safety requirements relating to the physical characteristics of underground petroleum storage tanks before the date the tank is required to be in compliance with the requirements; ~~and~~

(B) is a double walled underground petroleum storage tank; ~~with and~~

(C) has piping that has secondary containment; the amount is ~~twenty-five~~ **twenty** thousand dollars (~~\$25,000~~) (**\$20,000**)."

Page 2, after line 12, begin a new paragraph and insert:

"SECTION 4. [EFFECTIVE UPON PASSAGE] (a) **An underground storage tank system that contains fuel composed of greater than fifteen percent (15%) alcohol is considered to comply with IC 13-23-5-1(b), as added by this act, if either of the following applies:**

(1) **The system predates the effective date of this act.**

(2) **The system predates the solid waste management board's adoption after the effective date of this act of any additional rules concerning technical and safety requirements for storing and dispensing alcohol blended fuel.**

(b) **Replacement tanks or ancillary equipment installed in existing underground storage tank systems storing or dispensing alcohol blended fuels must meet the standards contained in additional rules adopted by the solid waste management board as described in subsection (a)(2) only if the installation occurs after the adoption of those rules.**

SECTION 5. **An emergency is declared for this act.**"

Renumber all SECTIONS consecutively.

(Reference is to HB 1192 as printed February 16, 2007.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

GARD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Economic Development and Technology, to which was referred Engrossed House Bill 1426, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between lines 4 and 5, begin a new paragraph and insert:

"**Sec. 1. This chapter applies to grants, loans, and tax credits:**

(1) **applied for; and**

(2) **awarded;**

after July 1, 2007."

Page 1, line 5, delete "1." and insert "2."

Page 1, line 7, delete "2." and insert "3."

Page 1, line 11, delete "3." and insert "4."

Page 1, line 13, delete "4." and insert "5."

Page 2, line 5, delete "5." and insert "6."

Page 2, line 5, delete "August 1, 2007," and insert "**February 1, 2008,**"

Page 2, line 21, delete "6." and insert "7."

Page 2, line 22, delete "5" and insert "6".

Page 2, delete lines 36 through 37, begin a new line triple block indented and insert:

"(ii) Certification by the Indiana economic development corporation that each recipient is meeting the program requirements and representations made in the recipient's application of the wages and compensation provided to employees who have been or are to be hired, trained, or retrained."

Page 2, between lines 41 and 42, begin a new paragraph and insert:

"Sec. 8. If in the course of compiling information to complete a report required by section 6 of this chapter the corporation determines that a recipient of a grant, loan, or tax credit has not complied with the representations that the recipient made in obtaining the tax credit, loan, or grant, the corporation shall determine whether there was good cause for the noncompliance. If there is not good cause for the noncompliance, the corporation shall seek a refund or arrange other methods of reclaiming the tax credits, loans, or grants from the recipient."

(Reference is to HB 1426 as reprinted February 9, 2007.)
and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

FORD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred Engrossed House Bill 1657, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 10, delete lines 18 through 41.

Renumber all SECTIONS consecutively.

(Reference is to HB 1657 as printed February 20, 2007.)
and when so amended that said bill do pass and be reassigned to the Senate Committee on Tax and Fiscal Policy.

Committee Vote: Yeas 10, Nays 0.

JACKMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1084, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred Engrossed House Bill 1146, has had the same under consideration and begs leave to report the same back to the

Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

JACKMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Energy and Environmental Affairs, to which was referred Engrossed House Bill 1193, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass and be reassigned to the Senate Committee on Tax and Fiscal Policy.

Committee Vote: Yeas 9, Nays 0.

GARD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Economic Development and Technology, to which was referred Engrossed House Bill 1281, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

FORD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred Engrossed House Bill 1299, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

JACKMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1300, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

LUBBERS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government and Elections, to which was referred Engrossed House Bill 1145, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

LAWSON, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1508, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 8, Nays 0.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred Engrossed House Bill 1762, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 8, Nays 2.

JACKMAN, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 52

Senate Concurrent Resolution 52, introduced by Senator Heinold:

A CONCURRENT RESOLUTION honoring the Oregon-Davis High School girls basketball team for winning the 2007 Class A State Championship.

Whereas, The Oregon-Davis High School girls basketball team concluded their regular season and sectional play with a record of twenty-one wins and three losses to advance into post season competition;

Whereas, The Oregon-Davis Bobcats defeated the West Central Trojans by a score of 65-34 and the Fort Wayne Canterbury Cavaliers by a score of 63-59 in regional tournament play. Thereafter, the Bobcats dominated the Lapel Bulldogs by a score of 77-47 in a semistate match up which earned them the right to compete for the Indiana State High School Class A Championship;

Whereas, In the Class A State Championship Game, the Oregon-Davis Bobcats met the Wood Memorial Trojans. Led by 19 points from freshman Gabi Minix, daughter of coach Terry Minix, the Bobcats achieved a memorable 54-46 victory in Consecration Fieldhouse; and

Whereas, Throughout the season, the Oregon-Davis High School girls basketball team has rallied around the memory of their friend with the cheer, "Play like Jess today!" We congratulate the Bobcats for winning the Class A State Championship and wish them continued success in the future: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly honors the Oregon-Davis High School girls basketball team for winning the 2007 Class A State Championship.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Coach Terry Minix and each member of the championship team.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Dembowski.

Senate Concurrent Resolution 51

Senate Concurrent Resolution 51, introduced by Senator Heinold:

A CONCURRENT RESOLUTION honoring Angela Boyle for winning the Patricia L. Roy Mental Attitude Award.

Whereas, Oregon Davis senior forward Angela Boyle was named the Patricia L. Roy Mental Attitude Award winner for Class A girls basketball. Recipients of this award are recognized for their excellence in mental attitude, scholarship, leadership, and high school athletics;

Whereas, Angela Boyle ranks among the top 10 students in her class with a 3.96 cumulative grade point average. On the basketball court, Angela contributed 351 points and helped secure the 2007 Class A State Championship for the Oregon-Davis Bobcats;

Whereas, In addition to basketball, Angela Boyle has been a member of the National Honor Society, an after-school tutor, and a youth club volunteer at her church. She has also given generously of her time assisting with the Plymouth Youth Girls Basketball camps and volunteering at the St. Joseph Medical Center; and

Whereas, Angela Boyle plans to further her education, studying physical therapy in college. Her dedication to excellence in the classroom, on the basketball court, and in her community is worthy of special recognition: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates Angela Boyle on her selection as the 2005-2006 Patricia L. Roy Mental Attitude Award Winner for Class A girls basketball.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Angela Boyle and her family, Principal Gregory Briles, and Coach Terry Minix.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Dembowski.

SENATE MOTION

Madam President: I move that Senators Kruse and Breaux be

added as cosponsors of Engrossed House Bill 1426.

FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zakas be added as cosponsor of Engrossed House Bill 1386.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lawson be added as cosponsor of Engrossed House Bill 1731.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Drozda and M. Young be added as cosponsors of Engrossed House Bill 1381.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Gard and Errington be added as cosponsors of Engrossed House Bill 1457.

LAWSON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as cosponsor of Engrossed House Bill 1166.

LAWSON

Motion prevailed.

ENGROSSED HOUSE BILLS ON SECOND READING

Engrossed House Bill 1037

Senator Alting called up Engrossed House Bill 1037 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1075

Senator Kenley called up Engrossed House Bill 1075 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1381

Senator Bray called up Engrossed House Bill 1381 for second

reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1456

Senator Becker called up Engrossed House Bill 1456 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

SENATE MOTION

Madam President: I move that Senator Lawson be added as cosponsor of Engrossed House Bill 1037.

ALTING

Motion prevailed.

House Concurrent Resolution 26

House Concurrent Resolution 26, sponsored by Senator Broden:

A CONCURRENT RESOLUTION congratulating the South Bend Washington High School girls basketball team.

Whereas, On Saturday, March 3, 2007, at Conseco Fieldhouse in Indianapolis, the South Bend Washington High School girls basketball team avenged last year's loss in the Class 4A state championship game by becoming the first girls basketball team in the South Bend Community School Corporation to win a state title;

Whereas, South Bend Washington defeated Columbus East by a score of 84 - 64;

Whereas, The Panthers, champions of the Northern Indiana Conference, reached their goal by finishing the season with 28 straight victories after losing the first game of the year;

Whereas, In a fast paced, up-tempo game, South Bend Washington's offense was too much for Columbus East;

Whereas, Sophomore guard Skylar Diggins led the way for the Panthers with 27 points, 17 rebounds, six assists, five steals, and three blocked shots, setting a new rebounding record;

Whereas, Senior Ashley Varner scored 24 points and Katelyn Boocher added 10 rebounds;

Whereas, The Washington Panthers set several new records during the championship game: most points in a game, 84; most points in a half, 48 in the second half; most points in a quarter, 30 in the third quarter; most field goals attempted, 77; most field goals made, 34; most rebounds by one team, 52; and most blocked shots, 11;

Whereas, Katelyn Boocher was named the winner of the Patricia L. Roy Mental Attitude Award, presented annually to a senior who has demonstrated excellence in mental attitude, scholarship, leadership, and athletic ability;

Whereas, Head coach Marilyn Coddens was named the 2006

Northern Indiana Conference Coach of the Year and the Metro Coach of the Year; and

Whereas, Excellence in any endeavor and determination to reach a specific goal deserve special recognition: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

SECTION 1. That the Indiana General Assembly congratulates the South Bend Washington High School girls basketball team on its Class 4A state basketball championship and wishes the team members success in all their future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to all team members, team managers, head coach Marilyn Coddens, assistant coaches Don Coddens, Maurice Scott, Jose Robles, and Lannie Jones, athletic directory Patrick J. Mackowiak, principal George W. McCullough, Jr., and superintendent Dr. Robert Zimmerman.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

SENATE MOTION

Madam President: I move that Senators Becker and Kruse be added as cosponsors of Engrossed House Bill 1281.

HEINOLD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Skinner be added as cosponsor of Engrossed House Bill 1034.

MERRITT

Motion prevailed.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 26 and the same is herewith transmitted for further action.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 38, 45, and 46 and the same are herewith returned to the Senate.

CLINTON MCKAY
Principal Clerk of the House

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Tuesday, March 13, 2007.

LAWSON

Motion prevailed.

The Senate adjourned at 2:26 p.m.

MARY C. MENDEL
Secretary of the Senate

REBECCA S. SKILLMAN
President of the Senate